

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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NUBIA NATIONAL TRUST BANK,

Case No. 2:24-cv-00487-APG-EJY

Plaintiff,

**ORDER**

v.

HOA COLLECTIONS, LLC and SPRINGS  
AT ELDORADO II HOMEOWNERS  
ASSOCIATION,

Defendants.

Pending before the Court is Nubia National Trust Bank's<sup>1</sup> Motion to Amend its Complaint. ECF No. 13. On March 13, 2024, the Court entered an Order explaining that "an entity like Nubia National Trust Bank cannot appear in this case without representation by an attorney." ECF No. 7 at 1 *citing In re America W. Airlines*, 40 F.3d 1058, 1059 (9th Cir. 1994) ('Corporations and other unincorporated associations must appear in court through an attorney.')." The Court gave Nubia through and including April 15, 2024 to appear through counsel.<sup>2</sup> *Id.* Instead of appearing through counsel, Nubia filed the instant Motion without counsel and in violation of United States District Court for the District of Nevada Local Rule 15-1(a). This Rule requires a party moving to amend a complaint to attach the proposed amended pleading to the motion to amend. *Id.*

The Court finds it appropriate to (1) deny the Motion to Amend without prejudice, (2) give Nubia National Trust Bank additional time to determine how it wishes to proceed, and (3) in the event Nubia National Trust Bank wishes to proceed as a corporation, provide Nubia additional time to retain counsel and refile its Motion to Amend.

Accordingly, IT IS HEREBY ORDERED that Nubia National Trust Bank's Motion to Amend Complaint (ECF No. 13) is DENIED without prejudice.

<sup>1</sup> Nubia National Trust Bank is sometimes referred to herein as "Nubia."

<sup>2</sup> The Court notes an individual, unlike a corporation, may file a complaint and prosecute an action without counsel—that is, *pro se*.

1 IT IS FURTHER ORDERED that Nubia National Trust Bank is given through and including  
2 **May 25, 2024** to retain counsel who **must** appear by or before that date on behalf of the entity.

3 IT IS FURTHER ORDERD that Nubia National Trust Bank may refile a motion to amend  
4 once counsel appears on behalf of the entity.

5 IT IS FURTHER ORDERED that if Nubia National Trust Bank fails to retain counsel or if  
6 a plaintiff who may proceed *pro se* is not part of this action by or before **May 25, 2024**, the Court  
7 will recommend dismissal of this action without prejudice.

8 Dated this 17th day of April, 2024.

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11 ELAYNA J. YOUCHAH  
12 UNITED STATES MAGISTRATE JUDGE  
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